

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ROBERT LANGERMANN,

Plaintiff,

vs.

HONORABLE PATRICIA A. SEITZ, et al.,

Defendants.

Case No. 2:11-cv-01438-KJD-GWF

ORDER

Exparte Motion for an Order to Extend
Time for Service of Process Upon
Defendant Samuel J. Dubbin (#10)

This matter comes before the Court on Plaintiff's Exparte Motion for an Order to Extend Time for Service of Process Upon Defendant Samuel J. Dubbin (#10), filed on December 29, 2011. Plaintiff requests that the Court extend the time for service on Defendant Dubbin in light of his inability to perfect service up to this point and the recent activity in the related Florida case. Plaintiff informs the Court that on November 23, 2011, in the U.S. District Court, Southern District of Florida, Case No. 01-1895, Mr. Dubbin filed a Motion to Enjoin the Plaintiff from proceeding with this Nevada case. That motion is currently pending before the court. Plaintiff therefore asks that the Court extend the time for service upon Defendant Dubbin for a period of 30 days after the Florida court rules on the Motion to Enjoin.

Pursuant to Fed. R. Civ. P. 4(m), extensions of time for service of process may be granted for good cause shown. The Court finds Plaintiff has shown good cause to warrant an extension of time to perfect service. The Court will therefore stay the period of time for service upon Defendant Dubbin pending decision on the Motion to Enjoin in the Southern District of Florida, Case No. 01-1895. Plaintiff shall have 30 days from the ruling on the Motion to Enjoin to perfect service upon Defendant Dubbin. Plaintiff is required to submit a status report to the Court upon decision of the

1 Motion to Enjoin or no later Monday, March 5, 2012, informing the Court of the status of the
2 pending Motion to Enjoin. Failure to file the status report will result in the lifting of the stay on the
3 period of time to perfect service upon Defendant Dubbin. In such event, Plaintiff shall have 15
4 days to perfect service upon Defendant Dubbin. Accordingly,

5 **IT IS HEREBY ORDERED** that Plaintiff's Exparte Motion for an Order to Extend Time
6 for Service of Process Upon Defendant Samuel J. Dubbin (#10) is **granted**. The Court will stay the
7 period of time to perfect service on Defendant Dubbin until a decision on the pending Motion to
8 Enjoin is filed in the Southern District of Florida, Case No. 01-1895. Plaintiff shall have **30 days**
9 after the date of the decision on the Motion to Enjoin to perfect service upon Defendant Dubbin.

10 **IT IS FURTHER ORDERED** that Plaintiff shall file a status report with the Court upon a
11 decision on the Motion to Enjoin or no later than **March 5, 2012**, informing the Court of the status
12 of the pending Motion. Failure to file such report will result in the lifting of the stay on the period
13 of time to perfect service on Defendant Dubbin. In such event, service upon Defendant Dubbin
14 will be due within **15 days** or no later than **March 20, 2011**.

15 DATED this 4th day of January, 2012.

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18 GEORGE FOLEY, JR.
19 United States Magistrate Judge
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